

ORIGINAL

JUL 29 2010

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**JAMES N. HATTEN, CLERK
By: *[Signature]* Deputy Clerk

RYNE MCBRIDE and RORY JONES,)

Plaintiff,)

vs.)

GAMESTOP, INC.,)

Defendant.)

CIVIL ACTION FILE
NO.:**1:10.CV-2376****RWS****PETITION FOR REMOVAL TO THE
UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF GEORGIA, ATLANTA DIVISION**

Pursuant to 28 U.S.C. § 1331, 1367, 1441, 1446, and other applicable law, Defendant Gamestop, Inc. ("Gamestop") hereby gives notice of the removal of this action from the Superior Court of Fulton County, State of Georgia, where it is now pending, to the United States District Court for the Northern District of Georgia, Atlanta Division. As grounds for this removal, Gamestop shows as follows:

1.

This action, entitled *Ryne McBride and Rory Jones v. Gamestop, Inc.*, Civil Action File No. 2010CV187402 ("Superior Court"), was commenced against Gamestop in the Superior Court of Fulton County, State of Georgia, on June 24, 2010 when Plaintiffs Ryne McBride ("McBride") and Rory Jones ("Jones")

(collectively “Plaintiffs”) filed a Complaint under the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.* (“Superior Court Action”). True and correct copies of all the process and pleadings that have been filed in the Superior Court action are attached hereto as **Exhibit “A.”**

2.

Plaintiffs served their initial pleading setting forth specific claims for relief on or about June 29, 2010.

3.

Gamestop files this Notice of Removal within thirty (30) days after receiving notice of the Superior Court Action, by service or otherwise.

4.

Pursuant to 28 U.S.C. § 1331, this case is removable by reason of federal question jurisdiction because it involves claims brought pursuant to the federal Fair Labor Standards Act.

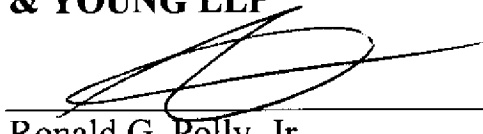
5.

Pursuant to 28 U.S.C. § 1446(d), a copy of this Notice of Removal is being filed with the Clerk of the Superior Court and is being served on Plaintiffs’ Counsel of record.

WHEREFORE, Gamestop, Inc. prays that this Petition for Removal be filed and that said action be removed to and proceed in this Court and that no further proceedings be had in the case currently pending before the Superior Court of Fulton County, Georgia.

Respectfully submitted this 29th day of July, 2010.

**HAWKINS PARNELL THACKSTON
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